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ACTION
OCA 87-5513**OFFICE OF CONGRESSIONAL AFFAIRS****Routing Slip**

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

31 NOV 87
Date

Action Officer:

Remarks:

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IF 10/29/87
Name/Date



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503
October 26, 1987

SPECIAL

LEGISLATIVE REFERRAL MEMORANDUM

O/CONGRESSIONAL AFFAIRS

87-5503

TO: Legislative Liaison Officer -
National Security Council
Department of State
Department of the Treasury
Department of Commerce
Department of Justice
United States Trade Representative
Agency for International Development
Central Intelligence Agency

FILE Leg-LR

SUBJECT: Defense draft report on H.R. 1229, prohibiting assistance to
Nicaraguan armed opposition.

The Office of Management and Budget requests the views of your
agency on the above subject before advising on its relationship
to the program of the President, in accordance with OMB Circular
A-19.

A response to this request for your views is needed no later than
TUESDAY, NOVEMBER 10, 1987.

Questions should be referred to Annette Rooney/Sue Thau
(395-7300), the legislative analyst in this office.

Ronald K. Peterson
RONALD K. PETERSON for
Assistant Director for
Legislative Reference

Enclosures

cc: J. Eisenhower
B. Howard
A. Donahue

SPECIAL



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE

WASHINGTON, D.C. 20301-1600

Honorable Les Aspin
Chairman, Committee on Armed Services
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request for the views of the Department of Defense on H.R. 1299, 100th Congress, a bill "To prohibit assistance to the Nicaraguan armed opposition."

H.R. 1299 would prohibit the obligation or expenditure of appropriated funds, and of proceeds from the transfer of United States property, for the Nicaraguan Democratic Resistance. The bill would also prohibit exportation to the Nicaraguan Democratic Resistance of goods or technology subject to the jurisdiction of the United States and would prohibit persons subject to such jurisdiction from exporting goods or technology to the Democratic Resistance. Finally, the bill would deny aid under the Foreign Assistance Act of 1961 and the Arms Export Control Act to any foreign country which assists the Nicaraguan Democratic Resistance.

The Department of Defense believes that the agreement reached between the Administration and the Congress on aid for the Democratic Resistance is dispositive of the issue. Thus, the Department believes there is no longer a need to comment on H.R. 1299.

The Office of Management and Budget advises that there is no objection to the presentation of this report to the Committee.

Sincerely,

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100TH CONGRESS
1ST SESSION

H. R. 1299

To prohibit assistance to the Nicaraguan armed opposition.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1987

Mr. KASTENMEIER introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Permanent Select Committee on Intelligence, and Armed Services

A BILL

To prohibit assistance to the Nicaraguan armed opposition.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON ASSISTANCE TO THE NICARA-**
4 **GUAN ARMED OPPOSITION.**

5 No funds appropriated or otherwise made available pur-
6 suant to any provision of law, and no proceeds from the sale
7 or other transfer of United States property (including defense
8 articles), may be obligated or expended for or on behalf of the
9 Nicaraguan armed opposition on or after the date of enact-
10 ment of this Act.

1 (b) **OTHER LAWS SUPERSEDED.**—The prohibition con-
2 tained in subsection (a) applies notwithstanding any other
3 provision of law, including title II of the Act making appro-
4 priations for military construction for the Department of De-
5 fense for the fiscal year ending September 30, 1987, and for
6 other purposes (as contained in section 101(k) of the joint
7 resolution making continuing appropriations for the fiscal
8 year 1987, and for other purposes (House Joint Resolution
9 738; Public Laws 99-500 and 99-591)).

10 **SEC. 2. PROHIBITION ON EXPORTS TO THE NICARAGUAN**
11 **ARMED OPPOSITION.**

12 (a) **PROHIBITION.**—No defense article or other goods or
13 technology subject to the jurisdiction of the United States
14 may be exported to the Nicaraguan armed opposition or to
15 any agent thereof; and no defense article or other goods or
16 technology may be exported to the Nicaraguan armed opposi-
17 tion or any agent thereof by any person subject to the juris-
18 diction of the United States.

19 (b) **REGULATIONS.**—The President shall prescribe such
20 regulations as may be necessary to carry out subsection (a).

21 (c) **VIOLATIONS.**—The authorities contained in section
22 38(e) of the Arms Export Control Act shall apply to viola-
23 tions of subsection (a).

1 **SEC. 3. DENIAL OF UNITED STATES ASSISTANCE TO ANY FOR-**
2 **EIGN COUNTRY WHICH PROVIDES ASSISTANCE**
3 **TO THE NICARAGUAN ARMED OPPOSITION.**

4 Any foreign country which provides assistance to the
5 Nicaraguan armed opposition on or after the date of enact-
6 ment of this Act shall be ineligible to receive assistance under
7 the Foreign Assistance Act of 1961 or Arms Export Control
8 Act.

9 **SEC. 4. NICARAGUAN ARMED OPPOSITION.**

10 As used in this Act, the term "Nicaraguan armed oppo-
11 sition" means the groups referred to as the "Nicaraguan
12 democratic resistance" in title II of the Act described in sec-
13 tion 1(b) of this Act.

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